



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leonard Forbes et al. Examiner: Theresa T. Doan
Serial No.: 09/883795 Group Art Unit: 2814
Filed: June 18, 2001 Docket No.: 303.355US4
Title: DEAPROM AND TRANSISTOR WITH GALLIUM NITRIDE OR GALLIUM ALUMINUM NITRIDE GATE

RESPONSE UNDER 37 CFR § 1.111

Commissioner for Patents
Washington, D.C. 20231

This response is accompanied by a Petition, as well as the appropriate fee, to obtain a one-month extension of the period for responding to the Office action, thereby moving the deadline for response from 15 February 2003 to 15 March 2003.

In response to the Office Action dated 15 November 2002, the applicant requests reconsideration of the above-identified application in view of the following remarks. Claims 24-26 and 30-61 are pending in the application, and are rejected. None of the claims have been amended.

Double Patenting Rejection

Claims 24-26 and 30-61 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 22 in U.S. Patent No. 6,031,263. The applicant will address this rejection when the claims are otherwise indicated as allowable.

Rejections of Claims Under §103

Claims 24, 30, 32-33, 37-38, 42-43, 47-48, 52-53, and 57-58 were rejected under 35 USC § 103(a) as being unpatentable over Hori (U.S. Patent Number 5,604,357). The applicant respectfully traverses.

Claim 32 recites a method of forming a floating gate transistor comprising forming a gate insulator comprising silicon dioxide (SiO_2) on a substrate, and forming a floating gate on the gate